



State Representative

33rd District

Shay Schual-Berke, M.D.



2008 Session Wrap

SPRING 2008

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Dear Friends,

The recently-ended legislative session was filled with activity, although we took serious note of the economic slowdown spreading across the country. Unlike the recession of 2001, Washington State is much healthier than most states today, probably the result of well-managed state pension plans and many vital industries. In fact, Washington ranks as the fifth most business-friendly state in Forbes magazine.

This session also marks my 10th as your state representative; I sincerely thank you for the privilege of serving as your representative for a decade! The time has come for me to pursue new opportunities with my husband and family, so I will retire next January at the end of this fifth term. It's been an incredible journey for me, and to all of you who have ever called, sent a note or stopped by my office, I appreciate you sharing the journey with me.

The best part of the job for me – aside from the wonderful people I have met and worked with – has been helping constituents solve problems. Here is an example that will stay with me for the rest of my life. As a freshman legislator, and the only doctor in the House, a woman named Autumn contacted me. Her 3-year old son, Anton, had been killed in a car crash. He was wearing a seat belt, but slipped through it. At that time, the law stated that three-year olds were “old enough” to be restrained by an adult seat belt. Autumn felt that state law should reflect model behavior for its citizens, so we examined best practices and National Transportation Safety Board data, and realized that our antiquated child seat belt laws needed updating badly! It was controversial – at that time few parents routinely used anything beyond infant seats – and took us two years, but in 2000 we passed Anton's Law. Autumn went on to advocate at the federal level and today we have saved many children from injury and death.

I've spent the past ten years fighting for the causes I believe in. Thousands of citizens like you work every day advocating for our children, for our seniors, for those with disabilities, and for those seeking a fair shot against special interests. I'm proud to have been an ally in those efforts.

My aide and I are now back in our Des Moines office to better serve you. Please don't hesitate to get in touch if you need assistance with a state agency, have questions about an issue, or if you have ideas to share. I look forward to hearing from you!

Warmly,

Representative Shay Schual-Berke, M.D. • 33rd Legislative District

SUPREME COURT SAYS YES TO TOP-TWO PRIMARY

We've seen a lot of changes to our state's primary election over the past few years. When our popular “blanket primary” was ruled unconstitutional we were forced to restructure our primary and ended up with the “Montana style” pick-a-party primary which many voters disliked.

Because it seemed only the political parties liked the “Montana style” primary, Washington voters passed I-872 in 2004, which would provide for a top-two primary. However, the parties sued to keep the Montana-style primary in place which put a halt to implementing the top-two system.

But the U.S. Supreme Court's ruling is finally in and our August primary will be conducted with the top two vote getters—regardless of party—advancing to the November general election. Your voice is critically important; inform yourself about candidates and be sure to vote in both the primary and general elections.

“We took the people's case to the nation's highest court and the people won. This is a victory for the voters of Washington because our democracy belongs to them.”
Secretary of State Sam Reed

2008 SESSION RECAP

The 2008 session was a busy one – nearly 300 bills were passed! Here is a small sample of noteworthy accomplishments. To see my entire voting record, go to www.leg.wa.gov/house/schual-berke. To view an entire list of bills we passed, go to www.leg.wa.gov/documents/opr/2008/sinedie.pdf

OPERATING BUDGET

The operating budget pays for much of the policy we passed and that is discussed below; I voted for this budget and am pleased it leaves a historic \$850 million in reserves in case of emergency or deepening economic slowdown.

CAPITAL BUDGET

As Vice-Chair of the Capital Budget Committee, this was a major focus for me this session. Very limited funding was available for new projects, but I was still able to champion important efforts for our district, including:



- \$1.5 million in noise mitigation for Highline Schools
- Funding for the Jim Kennett track at Mt Rainier High School
- A new dialysis center in SeaTac which will provide essential surge capacity for the region in case of emergency
- Funding for Burien to redevelop land near the airport for productive use
- Relocation of the Highline West Seattle Mental Health facility (the facility had to move because of the airport, and it is our area's major mental health facility)
- Funding for an innovative program to help young, talented teachers find and keep affordable housing if they come teach in the Highline School District.

EDUCATION

We continued to make targeted investments in our state's education system.



- **Teacher raises** – We increased pay for public school employees and included cost-of-living adjustments not provided in the 2003-2005 biennium.
- **School libraries** – We enhanced library funding so schools can invest in more staffing, books and supplies.
- **All-day kindergarten** – Lawmakers continued to invest in phasing in all-day kindergarten across the state.
- **New mathematics and science standards** – We provided funding for the State Board of Education to continue reviewing new, proposed math standards. To help make math instruction more consistent throughout the state, we approved the development of an online math curriculum for grades K-12 and have asked the Superintendent of Public Instruction to identify three recommended curricula. (House Bill 2598)

ESTABLISHMENT OF A WORLD LANGUAGE COORDINATOR

Learning a foreign language is a long-neglected (as in, not tested on the WASL) but proven piece of a complete education that helps our students compete for the best in higher education and in the increasingly global workplace. This new position at the Office of the Superintendent of Public Instruction will ensure that all our children can include learning a foreign language as part of a complete, well-rounded education.

SIMPLE MAJORITY IN ACTION

Thanks to passage of my measure on this past November's ballot to allow school levies to pass by a simple democratic majority vote of the people, a record number of local levies passed this March.

HEALTHCARE, LONG-TERM CARE

PROTECTING THE AFFORDABILITY OF HEALTH INSURANCE



Prior to 2000, the Insurance Commissioner was allowed to disapprove rates offered for individual health plans if it was determined the rates were unreasonable. In 2000, the Legislature changed the law after insurers threatened to leave the state.

Since 2002, we have seen outrageous increases of up to 70% at the same time as carriers’ bottom lines have never been so healthy. Reserves for the largest three health insurance companies have grown from \$833 million to \$2.2 billion.

Senate Bill 5261(I sponsored the House version) restores the Insurance Commissioner’s authority to review the rates of individual health benefit plans. This is probably the best consumer protection bill we passed this session.

SUPPORT FOR NURSING HOMES AND LONG-TERM CARE

We set aside nearly \$6 million for nursing home and long-term care improvements including vouchers for family members who are caregivers to get respite care services, helping families navigate the long-term care system, and a falls prevention program for seniors.

FUNDING FOR IMPROVED QUANTITY AND QUALITY OF UMBILICAL CORD BLOOD COLLECTION

Umbilical cord blood offers an exciting and promising cure for many diseases, where bone marrow transplantation is not available or useful. Funding for research and transplantation is a first step to making our state the national leader in this important field.

PROTECTING CHILDREN FROM SECOND-HAND SMOKE

As a retired cardiologist, I’ve always been concerned about protecting the health of our children and families. That’s why I sponsored HB 2519 to prohibit smoking in cars with passengers under the age of 18.

My bill would make the infraction a secondary offense, meaning a driver would have to be pulled over for another reason, like speeding, before they could be ticketed. Despite widespread support and no organized opposition the bill didn’t pass this session. But for our children’s sake, I hope this is a discussion that continues next year.

I hosted a live demonstration at the Capitol to highlight how quickly the air in a car is poisoned by cigarette smoke. In less than 60 seconds, the poisons from second-hand smoke in cars can rise to 30 times the clean air hazard level. Visit my website at www.housedemocrats.wa.gov/members/schual-berke to watch the demonstration.

HELPING FAMILIES OWN AND KEEP A HOME

The mortgage lending crisis is inarguably one of the most urgent issues facing families today. The Legislature took swift action to reform the state’s mortgage lending industry. A sample of the legislation we passed includes:

- **SUBPRIME LENDING REFORM** will end certain bad mortgage products, like negative amortization loans for subprime borrowers, and will also require better disclosure to homebuyers. (HB 2770)
- **THE MORTGAGE SCAMS BILL** will help prevent scam artists from preying on people at risk of losing their homes and the equity they have worked hard to build up. (HB 2791)
- **THE PRE- AND POST-PURCHASE COUNSELING BILL** will provide \$1.5 million for counseling and information to help families make good loan decisions and avoid financial disaster from loans they cannot afford. (SB 6272)
- **ENSURING THE CUSTOMER COMES FIRST** by establishing fiduciary duties for mortgage brokers to ensure they look out for the interest of borrowers - a responsibility that other professionals including accountants, realtors, and lawyers already have. (SB 6381)
- **CLOSING THE LOOPHOLE** between federal and state jurisdiction that allowed several hundred mortgage brokers to operate without any regulation or public oversight. (SB 6471)

OTHER SUCCESSES



I’ve been an outspoken advocate for our foster children.

FOSTER CARE

Kids at risk of abuse or neglect will be safer because we called for better safety assessments and more frequent visits to their homes. To help foster children, we started pilot programs to provide foster parent classes to better provide for foster youth with exceptional behavioral or medical needs, and new education strategies to help foster kids succeed in school. I’m also proud we funded twice-monthly visits with siblings, to reduce the tragic sense of isolation that foster children often feel. Sadly, we failed to pass my bill to create a cabinet-level children’s agency with focus, vision, accountability; we need to do better by the children and families caught up in neglect and abuse.

DOMESTIC PARTNERSHIPS

This year we strengthened domestic-partnership rights and benefits for same-sex couples and older, unmarried couples. The new policy will add 174 rights and obligations to the domestic-partnership registry including nursing-home visitation, community property, probate and trust, and guardianship and power of attorney.

WHAT I’LL BE WATCHING FOR NEXT SESSION

PUBLIC FINANCING FOR SUPREME COURT RACES

I am hopeful my years of working to reform campaigns for the state’s Supreme Court will pass next session. If we want Supreme Court Justices who are independent, unbiased and impartial, then we must eliminate the influence of campaign contributions from special interests. Justice should not be for sale.



PORT ACCOUNTABILITY

Despite the devastating findings of the state’s audit of the Port of Seattle and dozens of bills offered to correct the Port’s problems, we passed only one bill (HB 3274). The legislation requires all ports to follow the same, open transparent contracting processes that other public agencies have to follow. This helps eliminate favoritism when awarding contracts, but much remains to be done to ensure the Port acts in the public’s best interest.